Appl. No. 09/742,458
Amdt. dated December 19, 2006
Reply to Office Action of September 19, 2006

PATENT

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed September 19, 2006. Claims 19-22, 25-27, 30, 33, 35, 36, and 41-70 were pending in the present application. This Amendment amends claims 19, 41, 63, 65, and 70, and cancels claims 60 and 66, leaving pending in the application claims 19-22, 25-27, 30, 33, 35, 36, and 41-59, 61-65, and 67-70. Reconsideration of the rejected claims is respectfully requested.

I.   **Rejection under 35 U.S.C. §103**

Claims 19-22, 25-27, 30, 33, 35, 36, and 41-70 are rejected under 35 U.S.C. §103(a) as being obvious over *Joao* (US 6,662,194) in view of *Knudson* (US 5,765,140). Applicants respectfully submit that these references do not teach or suggest each element of these claims. For example, Applicants' claim 19 as amended recites a system for workforce procurement and management using a hosted network application, comprising:

> at least one web server operable to host a workforce procurement and management application; and
> at least one database in communication with the web server and operable to store data for the workforce procurement and management application,
> **wherein the workforce procurement and management application includes a plurality of modules accessible at varying levels to different participants in a hosted workforce procurement and management process, the modules including:**
>> a skills fulfillment module providing a requirement function for specifying a staffing requirement for a project and a settlement function for tracking expenditures on the project;
>> **an exchange module comprising a search function for matching a digital portfolio of a contractor to the staffing requirement for the project, wherein the contractor is made available to be hired for the project; and**
>> **a resource management module comprising a work journal function for collecting information about work performed on the project by the hired contractor and automatically updating the digital portfolio of the contractor such that the search function of the exchange module has access to current portfolio data for the contractor, the collected information including at least one of performance, skill, and review information about the work performed on the project; and**
>> a knowledge management module comprising a reporting function and an analysis function

(*emphasis added*). Such limitations are neither taught nor suggested by these references.

For example, *Joao* teaches an apparatus for providing job searching services, recruitment services, and recruitment-related services (col. 3, lines 17-24). Using the apparatus, prospective

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employees or contractors can search for, or be notified of, existing jobs that meet information entered by that employee, and potential employers can search for, or be notified of, potential employees or contractors that meet information entered by that employer (col. 4, line 13-col. 5, line 16). Searches for applicable potential employees or jobs then can be executed, either manually or automatically according to selected criteria (col. 22, line 42-53; col. 25, line 7- col. 26, line 10; col. 28, line 42-col. 30, line 12). As recognized in the Office Action on page 4, *Joao* does not teach or suggest a resource management module comprising a work journal function for collecting information about work performed on the project by the hired contractor. Further, *Joao* does not teach or suggest automatically updating the digital portfolio of the contractor using performance, skill, and review information about the work performed on the project by the contractor, such that the search function of the exchange module has access to current portfolio data for the contractor. By automatically updating the portfolio each time information is entered for the contractor, the search function will always have up-to-date information for a contractor, such that the contractor is more likely to match searches because the additional skills and performance of the contractor will be included in the skills of the contractor. This is advantageous to not only the contractor, but also potential employers looking for contractors with the additional skills. As such limitations are neither taught nor suggested by *Joao*, *Joao* cannot render obvious claim 19.

Knudson does not make up for the deficiencies in *Joao* with respect to Applicants' claim 19. *Knudson* is cited as teaching collecting information about work performed on a project by a contractor as a user updates time on a project using a time sheet (OA p. 4; *Knudson* col. 7, line 15-47). *Knudson* does not, however, teach or suggest automatically updating a digital portfolio for the contractor using performance, skill, and review information about the work performed on the project by the contractor, such that the search function of the exchange module has access to current portfolio data for the contractor. *Knudson* instead teaches the entry of time information for a project, which is not indicative of additional skills, performance quality, or review information for a contractor, and thus is not reflective of the current skill set of the contractor for purposes of searching. Further, *Knudson* teaches the entry of time information for purposes of tracking progress on a project, and not for the purposes of updating skill information for an

employee on the project. *Knudson* thus cannot make up for the deficiencies in *Joao* with respect

to Applicants' claim 19, such that claim 19 and the claims that depend therefrom cannot be

rendered obvious by these references, alone or in combination. The other claims recite

limitations that similarly are not taught or suggested by these references, for reasons including

those discussed above, such that these claims also cannot be rendered obvious by these

references. Applicants therefore respectfully request that the rejections with respect to these

claims be withdrawn.

VI.   Amendment to the Claims

Unless otherwise specified, amendments to the claims are made for purposes of clarity,

and are not intended to alter the scope of the claims or limit any equivalents thereof. The

amendments are supported by the specification and do not add new matter.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this

Application are in condition for allowance. The issuance of a formal Notice of Allowance at an

early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of

this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

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Attachments
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